

REMARKS/ARGUMENTS

Claims 1-21 are pending.

Claims 1-4, 7-13, 19 and 21 have been rejected under 35 USC §102(a) as being anticipated by the Help System of the SnagIt software, version 4.3 (hereinafter "SnagIt").

Claims 5, 6, 14-18 and 20 have been rejected under 35 USC §103(a) as being unpatentable over SnagIt in view of U.S. Patent No. 6,400,378 to Snook (claims 5, 6, 16, 17 and 20), or in view of U.S. Patent No. 6,424,996 to Killcommons (claims 14 and 15), or in view of U.S. Patent No. 6,094,277 to Toyoda (claim 18).

Applicants respectfully request withdrawal of the pending anticipation and obviousness rejections for at least the following reasons.

SnagIt is directed to a plug-in module that allows a user to capture a screenshot and make that screenshot available for an e-mail client to transmit. The user may use a "hotkey" combination to activate an image capture process. Also, a user may send a message including a captured screenshot to an e-mail recipient by sending the message to an external e-mail client such as Microsoft Exchange for sending to the e-mail recipient. The user would then have to use the e-mail client to send the message including the screenshot.

The present invention, to the contrary, allows a user to capture a screenshot during execution of a game application, add messaging information to create a composite message, and send the composite message with the captured screenshot to an intended recipient over a network without leaving the executing game environment. In one aspect, an e-mail client is "embedded" in the application; by incorporating the composite message generation and sending features within the game application itself, a user is able to send composite messages from within the executing game application without exiting the game application or unduly hindering gameplay. The user, in this manner, is able to seamlessly immerse herself into a game world and share an aspect of the game world, such as a screenshot, with other users on a network without having to leave the world or unduly disrupt gameplay.

In SnagIt, an e-mail client external to an application, e.g., a game application, is required for sending a message. This is clear from Figure 3, where it is stated that to send a

message, the Send Mail option needs to be selected to "route your captured files to a 32-bit MAPI client." It is further stated in Figure 3, in the "Tip" section, that "[t]he output will be directed to your mail program for handling." Further, in Figure 9, in reference to sending screen shots to someone using E-mail, it is stated that "if you need to send screen shots to someone or a group using E-mail and your E-mail system is MAPI compliant ...". (emphasis added) This shows that an external mail client is required. Moreover, in Figure 6, it is stated that "[f]or mail output, a 32-bit MAPI mail client (for example, Microsoft Exchange) must be configured." (emphasis added) Lastly, and perhaps most pertinent, in Figure 3 it is stated that "[t]he Send Mail output option is only supported if you have a 32-bit MAPI mail client installed (e.g., Microsoft Exchange)." It is therefore very clear that SnagIt requires the use of an external mail client for sending messages including screenshots. It is, therefore, also very clear that SnagIt does not teach or suggest the limitation of "sending the composite message from within the game application to the intended recipient over a network" as is recited in claim 1. (emphasis added)

For similar reasoning, SnagIt also fails to teach or suggest the limitation of "sending the composite message from within the game application to a recipient at a remote location," and the limitation of code including instructions to "send the composite message from within the game application to the intended recipient over the network," as are recited in claims 9 and 19, respectively.

The present invention is particularly useful for game systems, such as games consoles like the XBox, Playstation, *etc.*, which do not and may never have MAPI mail clients. Integrating an email client into a game application is a crucial and ingenious feature that enables screenshot sharing in such game systems. Snagit will not ever be able to do a similar thing as it has to rely on an external mail client.

In the Response to Arguments section of the current Rejection, the Examiner referred to the "Hotkey Combination" topic of SnagIt to show that SnagIt does not require the user to exit the game application to activate the image capture procedure. It was further stated that the user invokes the SnagIt hotkey from within the game application and when the user is done with the image and the message (i.e., the message is dispatched), Snagit releases control of

the system back to the game application automatically. It was also stated that a mail form for message information is displayed upon invocation of the hotkey.

Applicants agree that the hotkey combination as taught by SnagIt allows a user to activate an image capture process. However, Applicants respectfully disagree with the remaining characterization of SnagIt and the hotkey combination functionality as taught therein. First, as above, SnagIt does require the user to exit an application to send a message. The hotkey combination taught by SnagIt (see, e.g., Figure 7 of SnagIt) only teaches image capture functionality. That is, a user may use a hotkey to capture an image during execution of an application. However, the hotkey has nothing to do with sending a message. That is, the hotkey combination of SnagIt neither teaches nor suggests sending a message or of generating a mail form; the hotkey is only directed to capturing an image and making it available as a file that may be processed by, for example, an e-mail client. With reference to Figure 7 of Snagit, a user may reconfigure the combination of keys that operate as a capture activation combination. Similarly, point 5 in Figure 3 states to "[p]ress your hotkey combination to perform the capture." Thus, it is clear that the hotkey is used for image capture. However, nowhere in these Figures or elsewhere in SnagIt is there a teaching or suggestion of sending a message using a hotkey combination. One likely reason there is no such teaching or suggestion is that in order to send a message including a screenshot, the user must access the system's external MAPI e-mail client, as discussed above.

Accordingly, it is respectfully requested that the pending rejections to independent claims 1, 9 and 19 be withdrawn for at least the above reasoning. Additionally, it is respectfully requested that the pending rejections to the dependent claims be withdrawn based, at least, on their dependency from independent claims 1, 9 and 19.

Appl. No. 09/495,622
Amdt. dated April 7, 2004
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 2178

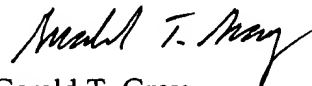
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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



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